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January 4, 2017

Regional Freedom of Information Officer
U.S. EPA, Region 5
77 West Jackson Boulevard (MI-9J)
Chicago, IL 60604-3590

U.S. EPA Region 5 Freedom of Information Officer:

Please be advised that I represent Pilsen Environmental Rights and Reform Organization ("PERRO"), which is a not-for-profit organization focused on improving the health, welfare, and safety of the public and community in and around Chicago's Pilsen neighborhood. PERRO's members include people who live near the so-called "Sangamon 16th to 18th Street Hook" property. The Sangamon Hook is a segment of a former rail line that extends along Sangamon Street from 16th to 18th Street in Chicago, Illinois. PERRO and its members who live adjacent to this property are concerned about the existing nature and extent of contamination on this site and the site remediation.

On behalf of PERRO and pursuant to the Freedom of Information Act, 5 U.S.C. §552, I request copies of 2016 site sampling results and sampling reports developed in connection with U.S. EPA Region 5's activities at the Sangamon 16th to 18th Street Hook property. Upon information and belief, these sampling results and reports would be based on site sampling that took place at some point between October and December, 2016.

Pursuant to the Freedom of Information Act, 5 U.S.C. 552(a)(4)(A), I request a waiver of any and all fees which you incur in meeting our request. PERRO is entitled to a fee waiver because it will use the requested information in the public interest, and will not use this information to further any profit-seeking venture. In considering this fee waiver request, U.S. EPA should consider the following:

- 1) The U.S. EPA has a statutory obligation to ensure that the remediation of the Sangamon Hook is in compliance with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"). Therefore, all documents pertaining to the facility's compliance with its obligations under CERCLA as administered by U.S. EPA relate to the operations and activities of the U.S. EPA.
- 2) PERRO plans to use the requested documents to evaluate whether the site is being remediated in such a manner to protect public health and safety. Such an investigation will contribute to an increased public understanding of whether U.S. EPA is adequately fulfilling its role as the regulating entity of this facility.

Moreover, PERRO cannot reasonably obtain the requested information from the public domain.

3) PERRO plans to use the requested information to raise awareness of potential health and environmental risks in its community and, because former rail lines are found throughout Chicago, in this region. In doing so, PERRO plans to disseminate the requested information to the public through its website, through its connections with community organizers, and through direct communication with community members. Therefore, PERRO will disseminate U.S. EPA's performance in regulating the facility.

4) The requested information is necessary for PERRO to learn whether U.S. EPA is adequately implementing CERCLA. Moreover, the requested information is not available within the public domain. Therefore, disclosure of the requested information will better enhance the public's understanding of U.S. EPA's operations as compared to the level of public understanding prior to disclosure of the requested information.

5) PERRO is a not-for-profit organization primarily concerned with enhancing public health and environmental quality in Chicago. Accordingly, PERRO will exclusively use the requested information in order to further that goal. PERRO does not plan to use the information to further *any* commercial interest.

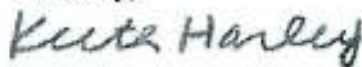
As you are aware, your agency has (20) twenty working days to respond to this request. If you encounter any problems with the request, or if fees cannot be waived, please notify me of the cost of the request prior to proceeding. I am willing to consider reducing the scope of this request in order to expedite your response. Please call if you would like to discuss a reduction in the scope of the requested records. If the request is denied in whole or in part, I request the explicit statutory basis for the denial and an explanation of the appeal process within your agency. Electronic versions of records are welcome if available – kharley@kentlaw.iit.edu

Please send the requested records to:

Keith Harley
Chicago Legal Clinic, Inc.
211 W. Wacker, Suite 750
Chicago, IL 60606

Thank you for your attention and for your anticipated cooperation.

Sincerely,



Keith Harley
Attorney at Law

cc Robert Peachey, Attorney, U.S. EPA – Region 5 (via e-mail)